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PROGRESS REPORT ON THE ACTIVITIES OF THE SOUTHERN AFRICA LABOUR COMMISSION (SALC)

Establishment and Membership

1. The Southern Africa Labour Commission (SALC) was established in Gaborone, Botswana, on the 31 January, 1980, by Ministers of Labour of Botswana, Lesotho and Swaziland. The Agreement establishing SALC was signed by Zimbabwe on 26 January 1981, Mozambique on the 15 May 1981, Malawi on the 8 September 1981, Zambia on the 1 September 1982 and Tanzania on the 12 September 1983. SALC therefore consists of Ministers of Labour from eight countries of Southern and Eastern Africa.

Aims and objectives

2. Paragraph 2 of the Agreement establishing SALC sets out its objectives as follows:

> "The Commission shall use their best endeavours to co-ordinate and harmonise the policies and practices of the Parties to this Agreement on matters concerning migrant labour in their territories and in the Republic of South Africa with the ultimate objective of abolishing the system of migratory labour as practised in Southern Africa. It shall more particularly endeavour to implement the resolutions of the United Nations and of International Conferences hereinbefore referred to".

3. The resolutions of the international conferences referred to in paragraph 2 of this paper are:

(a) Resolutions adopted by the subregional conference on Migratory Labour in Southern Africa held in Lusaka, Zambia, from the 4-8 April 1978. First, the Conference adopted a "Charter of rights of migrant workers in Southern Africa which enshrined the migrant workers Rights of Association, Movement, Residence, and a decent standard of living. Secondly, it resolved to promote development strategies with a view to reducing the economic dependence of Southern African States on South Africa;Thirdly, it recommended that a Southern Africa Labour Committee be established for the purpose of finding ways and means of eliminating the migratory labour system in Southern Africa;ensuring that all migrant workers were withdrawn from South Africa;co-ordinating policies aimed at eliminating the migratory labour system;and implementing the Charter of the Rights of Migrant Workers in Southern Africa. Fourthly, it resolved that since migratory labour was one of the major instruments of apartheid in South Africa, which inflicted gross indignities on workers and denied them their basic human rights, all member States should strive to abolish the system."

4. The resolutions of the United Nations referred to in paragraph 2 of this paper are:

(a) General Assembly resolution 33/163 of 15 March 1979 generally calling upon member States to take certain "measures to improve the situation and ensure the human rights and dignity of all migrant workers" and specifically calling upon the ILO to consider "the possibility of drawing up an international convention on the rights of migrant workers".

(b) General Assembly resolution 33/162 of 16 March 1979 endorsing the Charter of Migrant Workers in Southern Africa referred to in paragraph 3 of this paper and appealing to all UN member States and UN agencies to extend to the African countries affected by migratory labour in Southern Africa all material, financial, technical and political support in the supplementation of specific development programmes and projects aimed at enabling them to utilise fully their labour force for the development of their own economies and thereby eliminate the necessity to export such labour to the apartheid economy of South Africa.

(c) United Nations Commission on Human Rights resolution 25(XXXV) of 14 March 1979 urging the ILO, UNICEF, WHO, FAO, UNESCO, UNIDO, UNHCR, UNDP etc. to include assistance to migrant workers in Southern Africa in their work programmes.

(d) Economic and Social Council (ECOSOC) resolution of 9 May 1979 on "Measures to improve the situation and ensure the human rights and dignity of all migrant workers" urged all UN agencies to give every possible assistance to migrant workers in accordance with the relevant recommendations contained in the Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination and to contribute to the preparation of a Global Convention on the protection of the rights of all migrant workers.

5. The OAU Labour Commission meeting held in Mogadisho, Somalia, 26-29 April 1979 adopted recommendations on assistance to be given to migrant workers not only in Southern Africa but also in the rest of Africa.

Activities:

6. In pursuance of the objectives set out in paragraph 2 of this paper, as read with the resolutions referred to in paragraphs 3-5, the Southern Africa Labour Commission (SALC) has held five meetings in the various capitals of Southern Africa - Gaborone, Maseru, Harare, Mbabane. It will hold its sixth meeting in Maputo, Mozambique, at a date to be agreed with the Government in March 1984.

7. The Chairmanship of the SALC is held in rotation by the Minister of Labour of the country hosting the particular meeting. The ECA/MULPOC, Lusaka, Zambia, acts as its secretariat ad interim. The ILO/SATEP also helps prepare

various technical papers for SALC meetings. Southern African Liberation Movements (ANC;PAC;SWAPO;) attend SALC meetings as observers.

Problems:

8. Despite the resolutions of the General Assembly, ECOSOC and the UN Human Rights Commission referred to in paragraphs 3-5 of this paper, very little action has been taken jointly by the UN Agencies. The only exception is the ILO/SATEP which has attended and helped service all SALC meetings from its inception in January 1980. Such action as the other UN agencies have taken to help has been taken in the context of general assistance to Southern African countries and has not been directed specifically at resolving the problem of migrant workers as such. This makes it impossible to measure the impact of such assistance on the specific problem of migrant labour.

9. Since the SALC has no secretariat of its own and depends entirely on such assistance as the ECA/MULPOC, Lusaka, can give, follow-up action on SALC resolutions is tardy.

10. Although SALC has a work programme, it has no budget, relying as it does on ECA/MULPOC and ILO/SATEP secretariat services and for the detailed implementation of virtually all its programmes. So far the Member States have confined themselves to providing hosting facilities in rotation to SALC meetings. The MULPOC relies on a SIDA/SAREC grant which expires in December 1983 for carrying out its SALC activities. ILO/SATEP depends on SIDA funding which SIDA reviews periodically. The surprising thing about SALC is that it exists at all, given such constraints of manpower and financial resources.

11. Those SALC projects that have been assigned to individual member States to implement (e.g. sections of the Charter of Rights of Migrant Workers) have also not been implemented effectively because member States lack either skilled personnel in sufficient numbers or adequate financial resources or both.

Assets:

12. Although only four Southern African States supply migrant labour to South Africa, in fact four other states that do not supply such labour to South Africa, including Zambia and Tanzania have joined SALC thus giving it much-needed political support. This provides the basis for co-operation between the SADCC and SALC on problems of migratory labour in Southern Africa. The resolutions referred to in paragraphs 2-5 of this paper show that there is considerable goodwill towards SALC. The difficulty is how to translate this goodwill into concrete technical and financial assistance which alone can make an impact on the problems confronting SALC member States.

Co-operation with other multinational institutions:

13. Reference has been made throughout this paper to UN General Assembly resolutions urging all UN agencies to lend support to SALC member States in their

efforts to solve the problems of migratory labour. Maximum results will be achieved from these resolutions only when SALC has a full-time secretariat of its own to follow-up these resolutions closely.

14. On 1 April 1980 the Heads of State and Government of nine(9) Front Line and Southern African countries (viz. Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia and Zimbabwe) established the Southern African Development Co-ordination Conference (SADCC) for the purpose of reducing their economic dependence particularly, but not only on the Republic of South Africa;the forging of links to create a genuine and equitable regional integration;to mobilise resources for the implementation of national and subregional policies;and for taking concrete action to secure international co-operation within the framework of their strategy of economic liberation. They declared in part:

> "The effort for economic development is an essential condition to free the Southern African States from the exploitative migrant labour system".

15. The Preferential Trade Area for Eastern and Southern African States (PTA) became fully operational on 1 January 1983. It has a potential membership of 20 countries of Eastern and Southern Africa. At present it has 14 members, viz. Burundi, Comoros, Djibouti, Ethiopia, Kenya, Lesotho, Malawi, Mauritius, Rwanda, Somalia, Swaziland, Uganda, Zambia and Zimbabwe. The objectives of the PTA as set out in Article 3 of the PTA Treaty are to promote the economic development and integration of the member States. Such development, when achieved, will reduce economic dependence of these countries on South Africa not only in the field of migrant labour but also in all other sectors of the economies of the member States. Clearly, therefore, possibilities exist for co-operation between SALC and PTA certainly in the field of reducing dependence of the member States on the supply by them of migrant labour to South Africa.

16. As a very young ECA-sponsored Institution SALC can reasonably expect understanding, co-operation and assistance from all the other and more developed ECA-sponsored institutions.